

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:)	Bankr. No. 10-40498
)	Chapter 7
AARON RICHARD BOE)	
SSN/ITIN xxx-xx-0047)	
)	
and)	
)	
WENDY ANITA BOE)	
SSN/ITIN xxx-xx-3332)	
)	Adversary No. 10-
Debtors.)	
)	
LEE ANN PIERCE, TRUSTEE)	COMPLAINT TO
)	DETERMINE VALIDITY OF LIEN
Plaintiff)	
)	
-vs-)	
)	
SIOUX FALLS FEDERAL CREDIT)	
UNION)	
)	
Defendant.)	

COMES NOW, Chapter 7 Trustee Lee Ann Pierce and for a complaint against the above-captioned Defendant, states and alleges as follows:

1.

Lee Ann Pierce is the duly qualified and acting Bankruptcy Trustee in the bankruptcy estate of Aaron Richard Boe and Wendy Anita Boe.

2.

This Court has jurisdiction over this adversary proceeding.

3.

This is a core proceeding within the meaning of 28 U.S.C. §157.

4.

Debtors filed a Chapter 7 Bankruptcy on June 11, 2010.

5.

Debtors listed a 2008 Dodge Nitro valued at \$12,185.00 on Schedule B.

6.

Debtors listed on Schedule D – Creditors Holding Secured Claims that Sioux Falls Federal Credit Union held a security interest in the 2008 Dodge Nitro.

7.

The Trustee received a copy of a South Dakota Lienholder's Notice of Filing on which Defendant is listed as a lienholder dated March 17, 2010, which was within 90 days of Debtors filing for bankruptcy.

8.

Defendant failed to provide a copy of the certificate of title listing Defendant as a lienholder for the 2008 Dodge Nitro.

WHEREFORE, Plaintiff prays that the Court enter an order determining that the claimed lien is invalid and in addition thereto order that Defendant pay Trustee her costs, including the \$250.00 filing fee for this proceeding, and for such other and further relief as the Court deems just and proper.

Dated: August 13, 2010.

/s/ Lee Ann Pierce

LEE ANN PIERCE

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